

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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CLERK'S OFFICE

NOTICE OF JURY TRIAL SETTING

CR 98-184

TAKE NOTICE that the below listed matters are hereby set for JURY SELECTION AND TRIAL, on **TUESDAY, AUGUST 11, 1998 AT 1:15 PM**, on a trailing docket, before The Honorable Bruce D. Black, at the Harold L. Runnels Federal Building & U.S. Courthouse, 200 E. Griggs, Las Cruces, New Mexico. This notice supersedes all prior notices/orders setting these cases.

ALL COUNSEL MUST BE PRESENT AT THE CALL OF THE CALENDAR AND PRETRIAL CONFERENCE AT 8:00 AM ON TUESDAY, AUGUST 11, 1998.

Counsel's Requested Jury Instructions (see attached sheet), any anticipated Motions in Limine, and proposed voir dire questions are due in Las Cruces no later than **MONDAY, AUGUST 3, 1998**.

Motions for continuance are to be filed in accordance with 18 § 3161(h)(8)(A) setting forth the factual grounds justifying the continuance. In cases involving multiple defendants, counsel must file a joint motion for continuance with all counsel agreeing to said motion. If a motion for continuance is opposed by a co-defendant, movant may file a single opposed motion

To conserve judicial resources, the Court **MUST** be advised of all plea agreements not later than noon on **WEDNESDAY, AUGUST 5, 1998**. Guilty pleas after that date will be to the indictment. Local counsel is required to appear at all hearings unless excused by the Court.

Inquiries and/or notices of change of plea should be directed to the undersigned at (505) 527-6800.

ROBERT M. MARCH, Clerk



Mark W. Kokesh
Deputy Clerk

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Criminal Jury Trials, August 10, 1998

***Spanish Interpreter Required
+Definite Setting**

CR 98-98 LH†

USA v. Dewayne Lamonte Green-1
Allana Maria Redman-2
Bruce Paul Williams-3 (custody)
Omar Combs-4 (custody)
Attorney for Pltf: James R.W. Braun
Attorney for Deft: Barbara A. Mandel-1
Charles A. Harwood-2
Peter J. Giovannini-3
Jose R. Coronado-4
Offenses Charged: Conspiracy to Distribute Marijuana
Marijuana - Sell, Distribute, or Dispense

CR 96-419 JC

USA v. Christopher Rawis-5 (custody)
Attorney for Pltf: Fred J. Federici III
Attorney for Deft: Stephen Stevers-5
Offenses Charged: Continuing Criminal Enterprise
Controlled Substance - Sell, Distribute, or Dispense
Violent Crime/Drugs/Machine Gun

CR 97-103 JC*

USA v. Jesus Vargas-Aragonez-6
Attorney for Pltf: Jason Bowles
Attorney for Deft: Cesar Pierce-Varela-6
Noel Orquiz-6
Offenses Charged: Bringing in and Harboring Aliens
Conspiracy to Defraud the United States

CR 98-176 BB

USA v. Hermenegildo Huerta-Orquiz-1
Attorney for Pltf: Renee Lyn Camacho
Attorney for Deft: Raymond T. Van Arnam-1
Offenses Charged: Conspiracy to Distribute Controlled Substance
Controlled Substance - Sell, Distribute, or Dispense

Criminal Jury Trials, August 10, 1998

***Spanish Interpreter Required
†Definite Setting**

CR 98-150 JP*

USA v. Carlos Schmal-1 (custody)
Edward Delmoral-2 (custody)
Bernardino Carrion-4
Armando Lozoya-5
Manuel Escalera-6
Mike S. Kiser-7
Attorney for Pltf: Fred J. Federici III
Attorney for Deft: Joseph Sib Abraham Jr.-1
Ramon Acosta-1
Jane Greek-2
Cesar Pierce-Varela-4
Raymond T. Van Arnam-5
Charles Louis Roberts-6
Douglas R. Driggers-6
John B. Leyba-7

Offenses Charged: Conspiracy to Distribute Marijuana
Money Laundering - Controlled Substance - Sell/Distr/Disp

CR 98-177 BB

USA v. James Michael Cousert-1 (custody)
Michael Wayne Reed-2
Bree Anne McCleskey-3
Attorney for Pltf: James R.W. Braun
Attorney for Deft: Lissa J. Gardner-1
Ramon Acosta-2
Stephen Stevers-3
Offenses Charged: Conspiracy to Distribute Controlled Substance
Conspiracy to Manufacture Narcotics
Controlled Substance - Sell, Distribute, or Dispense
Narcotics - Sell, Distribute, or Dispense

CR 98-184 MV

USA v. Eduardo Bernal-1
Ricardo Mendez-2
Carolina Ayala Dominguez-3 (custody)
Attorney for Pltf: Thomas L. English
Attorney for Deft: Billy R. Blackburn-1
Thomas J. Clear III-2
Peter J. Giovannini-3
Offenses Charged: Conspiracy to Distribute Narcotics
Narcotics - Sell, Distribute, or Dispense

Criminal Jury Trials, August 10, 1998

***Spanish Interpreter Required
+Definite Setting**

CR 98-231 LH*

USA v. Maria Rosario Fuentez
Attorney for Pltf: James R.W. Braun
Attorney for Deft: Michael L. Stout
Offenses Charged: Controlled Substance - Sell, Distribute, or Dispense

CR 98-234 JC*

USA v. Pedro Galvan-Serrato
Attorney for Pltf: Alfred Juarez Perez
Attorney for Deft: Marcia J. Milner
Offenses Charged: Bringing in and Harboring Aliens
Conspiracy to Defraud the United States

CR 98-240 JC

USA v. Sandra Chavez
Attorney for Pltf: Fred J. Federici III
Attorney for Deft: LeRoy Duarte
Offenses Charged: Conspiracy to Distribute Marijuana

CR 98-295 JP

USA v. Raymond Limon-1 (custody)
Juan Daniel Cordero-2
George Cordero-3
Attorney for Pltf: Tara C. Neda
Attorney for Deft: Carmen E. Garza-1
Barbara A. Mandel-2
Anthony W. White-3
Offenses Charged: Bank Robbery by Force or Violence
Violent Crime/Drugs/Machine Gun

CR 98-334 LH*

USA v. Ruben Garcia-1
Attorney for Pltf: James T. Martin
Attorney for Deft: Mitchell M. Esper-1
Ramon Acosta-1
Offenses Charged: Conspiracy to Distribute Marijuana
Marijuana - Sell, Distribute, or Dispense

Criminal Jury Trials, August 10, 1998

***Spanish Interpreter Required
†Definite Setting**

CR 98-336 JC*

USA v. Ramon Villalobos-Reyes (custody)
Attorney for Pltf: Alfred Juarez Perez
Attorney for Deft: Robert J. McDowell
Offenses Charged: Marijuana - Sell, Distribute, or Dispense

CR 98-337 BB*

USA v. Fernando Razo-Ortega-1
Victor Hugo Navarro-Guzman-2
Attorney for Pltf: Gregory James Fouratt
Attorney for Deft: Luis Islas-1
Mario A. Esparza-1
Mario A. Esparza-2
Ray Velarde-2
Offenses Charged: Marijuana - Sell, Distribute, or Dispense

CR 98-369 JP*

USA v. Francisco Morales-2 (custody)
Norma Morales-3 (custody)
Jorge Solano-4 (custody)
Pedro Alcantar-5
Attorney for Pltf: Thomas L. English
Attorney for Deft: Francisco M. Ortiz-2
Charles A. Harwood-3
Cesar Pierce-Varela-4
Carmen E. Garza-5
Offenses Charged: Conspiracy to Distribute Marijuana
Marijuana - Import
Marijuana - Sell, Distribute, or Dispense

CR 98-370 MV*

USA v. Rolando Gonzalez-Torres (custody)
Attorney for Pltf: Jason Bowles
Attorney for Deft: Lissa J. Gardner
Offenses Charged: Bringing in and Harboring Aliens

CR 98-373 JP

USA v. Melissa Jo Anne Walker
Attorney for Pltf: Alfred Juarez Perez
Attorney for Deft: Ricardo E. Ortega
Offenses Charged: Marijuana - Sell, Distribute, or Dispense

Criminal Jury Trials, August 10, 1998

***Spanish Interpreter Required
†Definite Setting**

CR 98-374 BB*

USA v. Maria Del Rocio West-Rodriguez (custody)
Attorney for Pltf: James T. Martin
Attorney for Deft: Francisco F. Macias
Xavier Edward Acosta
Offenses Charged: Narcotics - Sell, Distribute, or Dispense

CR 98-400 MV*

USA v. Adan Carrillo-Davalos (custody)
Attorney for Pltf: Alfred Juarez Perez
Attorney for Deft: Ralph C. Binford
Offenses Charged: Bringing in and Harboring Aliens

CR 98-429 MV*

USA v. Juan Elias-Lara-1 (custody)
Guillermo Valentin Maldonado-Acosta-2 (custody)
Attorney for Pltf: James T. Martin
Attorney for Deft: Ramon Acosta-1
Francisco M. Ortiz-2
Offenses Charged: Conspiracy to Distribute Controlled Substance
Controlled Substance - Sell, Distribute, or Dispense

CR 98-432 JP*

USA v. Juan Ildelfonso-Garcia (custody)
Attorney for Pltf: Renee Lyn Camacho
Attorney for Deft: Rosanne Camunez
Offenses Charged: Reentry of Deported Aliens

CR 98-433 JP*

USA v. Vicente Barraza-Sanchez (custody)
Attorney for Pltf: Sarah Y. Vogel
Attorney for Deft: Anthony W. White
Offenses Charged: Reentry of Deported Aliens

Criminal Jury Trials, August 10, 1998

***Spanish Interpreter Required
†Definite Setting**

CR 98-434 JC*

USA v. Ruben Martinez-2
Abel Villela-Luna-3 (custody)
Tereso Alvarado-Ortiz-4 (custody)
Valentin Portillo-Holguin-5 (custody)
Alfonso Aguilar-Sepuveda-6 (custody)
Felix Villela-Luna-7 (custody)
Luis Armando Murillo-Ponce-8 (custody)
Attorney for Pltf: Sarah Y. Vogel
Attorney for Deft: Stephen Stevers-2
Anthony W. White-3
Francisco M. Ortiz-4
Rosanne Camunez-5
Jose R. Coronado-6
Raymond T. Van Arnam-7
Carmen E. Garza-8
Offenses Charged: Conspiracy to Possess Marijuana
Marijuana - Sell, Distribute, or Dispense

CR 98-436 LH

USA v. Jesus Manuel Rodriguez
Attorney for Pltf: James R.W. Braun
Attorney for Deft: Barbara A. Mandel
Offenses Charged: Marijuana - Import
Marijuana - Sell, Distribute, or Dispense

PREPARATION OF JURY INSTRUCTIONS
FOR THE HONORABLE BRUCE D. BLACK

Please prepare your proposed Jury Instructions in accordance with these directions. Deliver the instructions to Judge Black's chambers or Courtroom Deputy.

1. Parties shall meet and confer to agree on as many instructions as possible.
2. Plaintiff shall submit a numbered original and one copy of plaintiff's **contested** set of instructions. The instructions shall list authority at the bottom of each Instruction. (Fig. 1)
3. Plaintiff shall submit a numbered original and one copy of the **stipulated** set of instructions.
4. Defendant shall submit a numbered original and one copy of defendant's **contested** set of instructions. The instructions shall list authority at the bottom of each Instruction. (Fig. 1)
5. Submit **no more than one** instruction to a page.
6. Carefully **PROOFREAD** each instruction for errors in spelling, grammar, punctuation and citations; and for unintended deviations from pattern instructions used as sources.
7. Submit a cover sheet on **all** sets of instructions.
8. IN CIVIL MATTERS, Judge Black has provided the Clerk's Office a copy of pattern civil instructions. Attorneys need not include duplicates of these instructions among those they submit.
9. IN CRIMINAL MATTERS, Judge Black generally uses **Fifth Circuit Pattern Instructions** 1.04 - 1.07, 1.08 (alternative B), 1.09, 1.11, 1.19 - 1.21, 1.29, and 1.35 in all criminal cases. Attorneys need not include duplicates of these instructions among those they submit.
10. Plaintiff shall submit a 3.5" WordPerfect diskette upon which will be two separate directories containing plaintiff's **contested** set and the **stipulated** set of instructions respectively.
11. Defendant shall submit a 3.5" WordPerfect diskette with a directory containing defendant's **contested** set of instructions.

If your proposed Jury Instructions do not comply with these directions, they will be refused.

SAMPLE INSTRUCTION Rev. 7/97

UNITED STATES DISTRICT COURT

500 Gold Avenue SW - Post Office Box 1865
Albuquerque, New Mexico 87105

BRUCE D. BLACK (505) 248-8012
District Judge Fax: (505) 248-8014

INSTRUCTIONS TO LAWYERS
TRYING CRIMINAL CASES

1. Proposed voir dire questions must be exchanged THREE DAYS in advance of the scheduled trial. If there are problems, they must be brought to the Court's attention not less than TWO DAYS prior to the scheduled commencement of trial.
2. The Government will provide Defendant notice of potential Rule 404(b) or Rule 609(b) evidence not less than FOURTEEN DAYS in advance of trial.
3. It will facilitate an orderly and efficient trial for counsel to exchange witness and exhibit lists TWO DAYS prior to trial so that evidentiary problems can be anticipated and resolved correctly. In the event this requirement poses a danger to potential witnesses or for other good cause, the parties should approach the Court to seek relief from this requirement prior to the deadline.
4. Those exhibits which are not stipulated to shall be identified in sufficient detail to allow the Court to anticipate significant evidentiary problems.
5. Counsel will not get into possible areas of reversible error without prior Court approval, whether in opening or questioning witnesses. (E.g., Comment on a defendant's silence, invocation of constitutional rights, Rules 404(b), 608 or 609 material, etc.)
6. Any exhibits not admitted at the beginning of trial may not be shown to the jury or testified to, regarding the contents of such exhibit, by the witness unless and until they are admitted.